

From: <kkrebbs@lsea.com>
 To: <cableclaims@loc.gov>
 Date: Tue, Jul 29, 2008 5:00 PM
 Subject: Cable Single Claim from Kevin Krebbs

Single Claim for Cable Retransmission Royalty Fees

In accordance with section 111 of the Copyright Act, 17 U.S.C., and Subpart A of Part 360 of the Copyright Royalty Board regulations, 37 CFR 360.1 through 360.5, the copyright owner claimant named herein files with the Copyright Royalty Board of the Library of Congress a claim to royalty payments collected from cable television systems retransmitting copyrighted programming contained on over-the-air television and radio broadcast signals. This single claim to royalties is for fees collected from cable television systems during calendar year 2007.

Filer's full name:

Kevin Krebbs

Filer's full address:

KWHB TV47
 8835 S. Memorial
 Tulsa, Oklahoma 74133

Telephone number of person or entity filing the claim:

918-254-4701

Fax number, if any, of person or entity filing the claim:

918-254-5614

Email:

kkrebbs@lsea.com

Contact Person:

Kevin Krebbs

Phone:

918-254-4701

Fax:

918-254-5614

Email:

kkrebbs@lsea.com

Copyright owner full legal name and addresses: If the copyright owner is the same as the person or entity identified in number 1, please enter SAME. Do not include names of subsidiaries, parent companies, etc., if they are not the copyright owner entitled to royalties. Note: Performing rights organizations do not have to list the names of their members and affiliates.:

LeSEA Broadcasting of Tulsa, Oklahoma Inc.

A general statement of the nature of the copyright owner's work or works (e.g., motion picture, syndicated television series, sports broadcast, music, news, and other station-produced programming.):

N/A

Example(s): Below, provide at least one example of a secondary retransmission of either a non-music (Example A) or music (Example B) work by filling in the blanks.

Example A (Non-Music): The copyrighted broadcast program N/A was the subject of a primary transmission made by broadcast station N/A, which is licensed to the city of N/A, located in the state of N/A, on N/A, 2007 and was retransmitted by cable system N/A, which serves the community of (city) N/A, (state) N/A.

Optional Example: Although not required, you may provide an additional example of a secondary retransmission below. The copyrighted broadcast program N/A was the subject of a primary transmission made by broadcast station , which is licensed to the city of , located in the state of , on , 2007 and was retransmitted by cable system , which serves the community of (city) , (state) . Example B (Music): The musical composition N/A, composed by , published by , was performed in the program , which was the subject of a primary transmission made by broadcast station , which is licensed to the city of , located in the state of , on , 2007 and was retransmitted by cable system , which serves the community of (city) , (state) .

Optional Example: Although not required, you may provide an additional example of a secondary retransmission below. The musical composition N/A, composed by , published by , was performed in the program , which was the subject of a primary transmission made by broadcast station , which is licensed to the city of , located in the state of , on , 2007 and was retransmitted by cable system , which serves the community of (city) , (state) .

Claim submitted at 16:57 on 7/29/08.



United States Copyright Royalty Judges

October 23, 2008

VIA ELECTRONIC MAIL and U.S. MAIL

Kevin Krebbs
KWHB TV47
8835 S. Memorial
Tulsa, Oklahoma 74133

Dear Mr. Krebbs:

The Copyright Royalty Board received the 2007 cable claim submitted on behalf of LeSEA Broadcasting of Tulsa, Oklahoma Inc. A properly filed claim, in addition to being timely filed, must contain all the elements outlined in the Code of Federal Regulations. 37 C.F.R. § 360.3.

After reviewing the claim for compliance with the applicable regulations, the Board is returning your claim because the following elements were missing or incomplete:

- [X] A general statement of the nature of the copyright owner's work or works (e.g., motion picture, syndicated television series, sports broadcast, music, news, and other station-produced programming)
- [X] An identification of at least one secondary transmission by a cable system of the copyrighted work establishing a basis for the claim. This element should include:
 1. The name of the copyrighted work,
 2. The name of the station which broadcasted the work,
 3. The date of the broadcast, and
 4. The name/community of the cable system that retransmitted the work as a distant signal.

In order to have a valid example of a distant signal retransmission, the program must have been retransmitted to a community outside of the local service area of the broadcast station. In other words, the city and state of the broadcast station cannot be the same as the community served (city/state) by the cable system.

In order for your claim to be accepted as valid, you must amend it by completing the enclosed single claim amendment form. The completed amendment form must be returned to the Board on or before **Friday, November 7, 2008**.

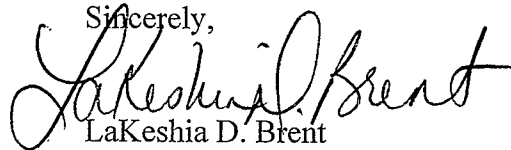
You may amend your claim by sending the requested completed amendment form in PDF format to cableclaims@loc.gov. Or, you may submit the requested amendment form in one of the following ways: If sent via the U.S. Postal Service, send the information via certified mail, return receipt requested, to the following address: Copyright Royalty Board, P.O. Box 70977, Southwest Station, Washington, D.C. 20024; if hand delivered by a private party, the information should be brought to Room LM-401 of the James Madison Memorial Building between 8:30 a.m. and 5 p.m., and the envelope should be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, S.E., Washington, D.C. 20559-6000; if delivered by a commercial courier, the information must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Streets, N.E., between 8:30 a.m. and 4 p.m. The envelope should be addressed as follows: Copyright Royalty Board, Room LM-401, James Madison Memorial Building, 101 Independence Avenue, S.E., Washington, D.C.

Please note that you **cannot** use corporate couriers such as Federal Express or United Parcel Service to submit the requested information. 37 C.F.R. § 360.4(a)(5).

Regardless of which method you select—either via e-mail or as outlined immediately above—the amended form **must** be received by the Board on or before **Friday, November 7, 2008**; otherwise, the claim may be dismissed for noncompliance with the filing regulations.

If you have any questions, please call me at 202-707-7658.

Sincerely,


LaKeshia D. Brent
Program Specialist

Enclosures: Copy of the 2007 cable claim
Copy of the 2007 cable amendment form



United States Copyright Royalty Board

Single Claim for Cable Retransmission Royalty Fees—2007

IMPORTANT: To be effective, this form must be filed *during* July 2008. See 17 USC 111(d)(4)(A), 37 CFR 360.2, 360.4. Do not file before July 1 or after July 31, 2008. Claims must be submitted on this form only. Replicas of this form will NOT be accepted.

In accordance with section 111 of the Copyright Act, 17 USC, and Subpart A of Part 360 of the Copyright Royalty Board regulations, 37 CFR 360.1–360.5, the copyright owner claimant named herein files with the Copyright Royalty Board a claim to royalty payments collected from cable television systems retransmitting copyrighted programming contained on over-the-air television and radio broadcast signals. This single claim to royalties is for fees collected from cable television systems during calendar year 2007.

You must provide the requested information for each item on this form.

FILER AND COPYRIGHT OWNER

FILER FULL NAME AND ADDRESS: Below, provide the full legal name and address (including specific number and street name or rural route), of the person or entity filing the single claim.

Telephone number of the person or entity filing the claim: _____

Facsimile number, if any, of the person or entity filing the claim: _____

Email address, if any, of the person or entity filing the claim: _____

COPYRIGHT OWNER FULL NAME AND ADDRESS: Provide the full legal name and address of the copyright owner entitled to claim the royalty fees. If the copyright owner is the same as the person or entity identified in paragraph 1, please enter SAME. Do not include names of subsidiaries, parent companies, etc., if they are not the copyright owner entitled to royalties.

NOTE: Performing rights organizations do not have to list the names of their members and affiliates.

CONTACT PERSON: Include name, phone, fax, if any, and email, if any:

CLAIM INFORMATION

GENERAL STATEMENT: Below, provide the nature of the copyright owner's works (i.e., motion pictures, syndicated television series, sports broadcasts, music, news, and other station-produced programming).

EXAMPLE(S): Below, provide at least one example of a secondary retransmission of either a nonmusic (Example A) or music (Example B) work by filling in the blanks.

Example A (Nonmusic):

The copyrighted broadcast program _____,
was the subject of a primary transmission made by broadcast station _____,
which is licensed to the city of _____, located in the state of _____,
on _____, 2007, and was retransmitted by cable system _____
which serves the community of (city) _____, (state) _____.

Optional example (Nonmusic): *Although not required, you may provide an additional example of a secondary retransmission below.*

The copyrighted broadcast program _____,
was the subject of a primary transmission made by broadcast station _____,
which is licensed to the city of _____, located in the state of _____,
on _____, 2007, and was retransmitted by cable system _____
which serves the community of (city) _____, (state) _____.

Example B (Music):

The musical composition _____,
composed by _____,
published by _____,
was performed in the program _____,
which was the subject of a primary transmission made by broadcast station _____,
which is licensed to the city of _____, located in the state of _____,
on _____, 2007, and was retransmitted by cable system _____
which serves the community of (city) _____, (state) _____.

Optional example (Music): *Although not required, you may provide an additional example of a secondary retransmission below.*

The musical composition _____,
composed by _____,
published by _____,
was performed in the program _____,
which was the subject of a primary transmission made by broadcast station _____,
which is licensed to the city of _____, located in the state of _____,
on _____, 2007, and was retransmitted by cable system _____
which serves the community of (city) _____, (state) _____.

DECLARATION

The undersigned declares under penalty of law that he or she is a copyright owner or an authorized representative of the copyright owner authorized to file this claim and further declares under penalty of law that all statements contained herein are true, complete, and correct to the best of his or her knowledge, information, and belief, and are made in good faith. [18 USC 1001].

(TYPED OR PRINTED NAME)

(SIGNATURE)

(DATE)

386

NUMBER NOT
ASSIGNED